

Assembly Bill No. 376

CHAPTER 71

An act to amend Section 5771 of, and to add and repeal Section 5772.5 of, the Welfare and Institutions Code, relating to mental health.

[Approved by Governor July 21, 2003. Filed with
Secretary of State July 21, 2003.]

LEGISLATIVE COUNSEL'S DIGEST

AB 376, Chu. California Mental Health Planning Council: composition.

The Bronzan-McCorquodale Act establishes provisions to organize and finance community mental health services for persons with mental disorders in every county through locally administered and locally controlled community mental health programs.

Federal law provides for block grants for community mental health services, and requires that states, in exchange for this federal financial assistance, develop and implement comprehensive mental health plans for adults with serious mental illnesses and for children with serious emotional disturbances.

Under existing law the California Mental Health Planning Council is required to fulfill mental health planning requirements mandated by federal law.

This bill would require that the council include representatives who are direct service providers from both the public and private sectors.

This bill would also state the intent of the Legislature to require the planning council to complete specified tasks.

The people of the State of California do enact as follows:

SECTION 1. Section 5771 of the Welfare and Institutions Code is amended to read:

5771. (a) Pursuant to Public Law 102-321, there is the California Mental Health Planning Council. The purpose of the planning council shall be to fulfill those mental health planning requirements mandated by federal law.

(b) (1) The planning council shall have 40 members, to be comprised of members appointed from both the local and state levels in order to ensure a balance of state and local concerns relative to planning.

(2) As required by federal law, eight members of the planning council shall represent various state departments.

(3) Members of the planning council shall be appointed in a manner that will ensure that at least one-half are persons with mental disabilities, family members of persons with mental disabilities, and representatives of organizations advocating on behalf of persons with mental disabilities. Persons with mental disabilities and family members shall be represented in equal numbers.

(4) The Director of Mental Health shall make appointments from among nominees from various mental health constituency organizations, which shall include representatives of consumer-related advocacy organizations, representatives of mental health professional and provider organizations, and representatives who are direct service providers from both the public and private sectors. The director shall also appoint one representative of the California Coalition on Mental Health.

(c) Members should be balanced according to demography, geography, gender, and ethnicity. Members should include representatives with interest in all target populations, including, but not limited to, children and youth, adults, and older adults.

(d) The planning council shall annually elect a chairperson and a chair-elect.

(e) The term of each member shall be three years, to be staggered so that approximately one-third of the appointments expire in each year.

(f) In the event of changes in the federal requirements regarding the structure and function of the planning council, or the discontinuation of federal funding, the State Department of Mental Health shall propose to the Legislature modifications in the structure of the planning council that the department deems appropriate.

SEC. 2. Section 5772.5 is added to the Welfare and Institutions Code, to read:

5772.5. (a) It is the intent of the Legislature that the planning council do all of the following:

(1) Review and monitor the implementation of counties' efforts to improve the provision and quality of mental health services to foster children.

(2) Advocate to reduce the stigma and discrimination against persons with mental health needs.

(3) Work with advocacy organizations to remove barriers facing children and youth who need mental health care.

(b) This section shall remain in effect only until January 1, 2007, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2007, deletes or extends that date.

